

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT COOPERATION TREATY APPLICATION**
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As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "THERAPEUTIC AND/OR PREVENTIVE AGENT FOR PLUMONARY DISEASE" the specification of which was filed as PCT International Application No. PCT/JP2004/004611 on 31 March 2004 and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Country	Application No.	Filed (Day/Mo./Yr.)	Priority Claimed (Yes/No)
Japan	2003-094504	31 March 2003	Yes

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below.

Application No.	Filed (Day/Mo./Yr.)	Status (Patented, Pending, Abandoned)
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I hereby appoint the practitioners associated with the firm and Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to the address associated with that Customer Number:

FITZPATRICK, CELLA, HARPER & SCINTO
Customer Number: 05514

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full Name of Sole or First Inventor Yuzuru Abe

Inventor's Signature Yuzuru Abe

Date September 20, 2005 Citizen/Subject of Japan

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Full Name of Second Joint Inventor, if any Ichiro Miki

Inventor's Signature Ichiro Miki

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ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) or the equivalent thereof, and other good and valuable consideration paid to Yuzuru Abe whose post office address is c/o Pharmaceutical Research Center, KYOWA HAKKO KOGYO CO., LTD., 1188, Shimotogari, Nagaizumi-cho, Sunto-gun, Shizuoka 411-8731 Japan; and Ichiro Miki whose post office address is c/o Pharmaceutical Research Center, KYOWA HAKKO KOGYO CO., LTD., 1188, Shimotogari, Nagaizumi-cho, Sunto-gun, Shizuoka 411-8731 Japan; subjects of Japan, by said KYOWA HAKKO KOGYO CO., LTD., a corporation organized under the laws of Japan, located at 6-1, Ohtemachi 1-chome, Chiyoda-ku, Tokyo 100-8185 Japan, receipt of which is hereby acknowledged, we the said Yuzuru Abe and Ichiro Miki do hereby sell and assign to said KYOWA HAKKO KOGYO CO., LTD., its successors and assigns, all our right, title and interest in and for the United States of America, in and to the invention relating to

"THERAPEUTIC AND/OR PREVENTIVE AGENT FOR PULMONARY DISEASE"

invented by us and described in the application for United States Letters Patent therefor, executed on even date herewith, and all United States Letters Patent which may be granted therefor, and all divisions, reissues, ownership of the said Letters Patent when granted, to be held and enjoyed by said KYOWA HAKKO KOGYO CO., LTD., its successors, assigns or other legal representatives, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made;

And we hereby agree to sign and execute any further documents or instruments which may be necessary, lawful, and proper in the prosecution of said above-named

and proper in the prosecution of said above-named application or in the preparation and prosecution of any continuing, continuation-in-part, substitute, divisional, renewal, reviewed or reissue applications or in any amendment, extension, or interference proceedings, or otherwise to secure the title thereto in said assignee;

And we do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said KYOWA HAKKO KOGYO CO., LTD.

Signed this 20th day of September, 2005

Yuzuru Abe
Yuzuru Abe

Ichiro Miki
Ichiro Miki

Kenjiro Manabe
Witness

Motoya Mie
Witness